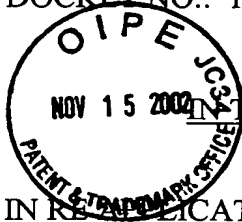


DOCKET NO.: 197330US0



THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF

SHUJI MIYAGAWA, ET AL.

SERIAL NO: 09/662,128

FILED: SEPTEMBER 14, 2000

FOR: MODIFIED CRE RECOMBINASE
GENE FOR MAMMALS

:

: EXAMINER: QIAN, C. X.

:

: GROUP ART UNIT: 1636

:

#161

Lita

11-20-02

AMENDMENT AND REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

In response to the Official Action dated July 16, 2002, Applicants respectfully request reconsideration in light of the following amendments and remarks.

IN THE CLAIMS

✓ ✓
Please cancel Claims 1 and 4.

Please amend the claims as follows:

2. (Amended) A polynucleotide comprising a modified Cre recombinase gene which is modified such that it is expressed in elevated levels compared to the unmodified Cre recombinase gene; and an inducible promoter operatively linked to the modified Cre recombinase gene.

3. (Amended) The polynucleotide according to claim 2, further comprising at least one of a marker gene, a nucleic acid encoding a nuclear transport signal, and a Kozak sequence.

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